



RECEIVED
CENTRAL FAX CENTER
DEC 16 2005

December 16, 2005

Examiner Matthew D. Hoel
Art Unit 3713
USPTO
Alexandria, VA 22313-1450
fax 571 273 8300
3 pages total

Subject: Applicant Interview Request Form re application 10/043,071

Dear Examiner Hoel,

Attached please find an Applicant Initiated Interview Request Form and summary of interview under 37 CFR 1.33b for the above referenced application. The interview was telephonic and was held on December 2, 2005 from 3 pm to 4 pm Eastern Time.

If you are in agreement with the summary, please countersign and return a copy for my records.

Sincerely,

Mark Nowotarski
Reg. No. 47,828
Agent of Record

30 Glen Terrace, Stamford, CT 06906
tel 203.975.7678 fax 203.973.0010
mnowotarski@marketsandpatents.com

**RECEIVED
CENTRAL FAX CENTER**

Dec 16 05 02:00p

Mark Nowotarski

DEC 16 2005

203 973 0010

p.2

PTOL-41 3A (08-04)
Approved for use through 07/31/2008. OMB 0851-003 1
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 10/043071

First Named Applicant: Groz

Examiner: Matthew D. Hoel

Art Unit: 3713

Status of Application: Pending

Tentative Participants:

(1) Mark Nowotarski (agent) (2)

(3) Matthew D. Hoel (examiner) (4) Corbett Coburn (Sr. examiner)

Proposed Date of Interview: December 2, 2005

Proposed Time: 3:00 PM (AM/PM)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES

☒ NO

If yes, provide brief description:

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) Confirm that Examiner's proposed amendment to claim 42 would overcome all rejections of 10/20/05 office action.			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(2) Discussion of whether or not Examiner's proposed amendment would render claim 42 allowable in light of prior art newly discovered by Examiner			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/> Continuation Sheet Attached					

Brief Description of Arguments to be Presented: See Attached Sheet

Summary of Interview under 37 CFR 1.133(b):

An interview was conducted on the above-identified application on December 2, 2005. Agreement was reached that if claim 42 were amended as per the Examiner's suggestion of 11/8/05, it would overcome the rejections of the final office action of 10/20/05. Agreement was not reached on whether or not said amended claim 42 would be allowable over art newly discovered by the Examiner. The prior art WO 02/47010 A1 was specifically discussed. Examiner is also awaiting translation of other non-English prior art.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Typed/Printed Name of Applicant or Representative
Mark Nowotarski

Registration Number, if applicable
47,828

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Applicant Initiated Interview Request Form (cont)

Application No.: 10/043,071

First Named Applicant: Groz

Examiner: Matthew D. Hoel

Art Unit: 3713

Status of Application: Pending

Items to be discussed.

Applicant would like confirmation that if claim 42 is amended per Examiner's suggestion of 11/8/05, that said claim would be help allowable over the rejections of the office action of 10/20/05. Said amended claim is:

42. (Amended): A method for increasing the expected return of a game, said method comprising:

- a) offering to sell tokens to a plurality of players to participate in said game, each of said tokens having a price and a designated residual value;
- b) receiving financial consideration from said players, said financial consideration being equal to the number of said tokens purchased by each of said players times said price of said tokens;
- c) allocating a first portion of said financial consideration to a prize pool, said first portion being greater than zero, said prize pool to be distributed among winners of said game;
- d) conducting said game such that there is an outcome of said game wherein said outcome may comprise the designation of a portion of said tokens as winning tokens;
- e) awarding said prize pool to the owners of said winning tokens if said outcome comprises said designation of winning tokens;
- f) allocating a second portion of said financial consideration to purchase assets, said assets having a positive expected return over a period of time such that the expected value of said assets at the end of said period of time is greater than or equal to said financial consideration less said prize pool;
- g) purchasing said assets with said second portion of said financial consideration;
- h) assigning said assets to said tokens, said assignment to each token being in proportion to price of each of said token times the residual value of each of said tokens;
- i) committing to provide the ~~cash~~ current market value of said assets at the end of said period of time to the owners of said tokens.